

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION**

Marcus Glen Gaskins, on behalf of the)
United States of America,)
)
Plaintiffs,) CA No. 4:09-cv-02121-JMC
vs.)
)
Canal Wood, LLC,)
)
Defendant.)

ORDER OPENING CASE

This case is currently under a Rubin order which expires on December 17, 2011.

Consistent with the Rubin order, the United States moves this Court for an order opening the case. The motion is granted and the case is reinstated for the purpose of allowing the United States to intervene, removing the case from under seal and dismissing the case consistent with the Settlement Agreement entered into by the parties.

ORDER OF DISMISSAL

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States, and Relator Marcus Glen Gaskins filed a Stipulation of Dismissal as to Claims against the defendants and the United States filed a Notice of Intervention. Upon due consideration of the Stipulation, the Notice, and the papers on file in this action,

IT IS HEREBY ORDERED that:

1. Consistent with the terms and conditions of the Settlement Agreement executed by the United States, Canal Wood, LLC and the Relator, all claims asserted on behalf of the United States against Canal Wood, LLC in Civil Action No. 4:09-cv-02121 concerning the covered conduct as defined in the Preamble of the Settlement Agreement shall be dismissed with prejudice to the Relator and the United States.
2. All remaining claims asserted on behalf of the United States shall be dismissed without prejudice.
3. Relator's claims against the defendant to entitlement under 31 U.S.C. § 3730(d) to expenses, attorneys' fees, and costs arising out of his claims against the defendant shall be dismissed with prejudice.
4. The Complaint, the United States' Notice of Intervention, the Stipulation of Dismissal, this Order, and all other filings in this case shall be unsealed.



J. MICHELLE CHILDS
United States District Judge

November 2, 2011
Greenville, South Carolina